

NOV 15 2005

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**SCULLY, SCOTT, MURPHY
& PRESSER**

Fax

To:	Examiner :Mohammad O. Farooq GROUP ART UNIT: 2182	From:	Steven Fischman
Fax:	571-273-8300	Pages:	18 (including fax cover sheet)
Phone:		Date:	November 15, 2005
Re:	Michael Baentsch, et al. U.S. Serial No. 09/894,035 Docket: CH90000039US1 (14665)	CC:	

AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.111

COMMENTS:

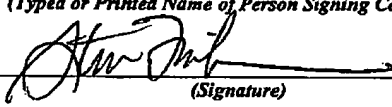
Transmitted herewith are the following:

1. Amendment Transmittal letter (in duplicate)
2. Response Under 37 C.F.R. §1.111
3. Certificate of Transmission by Facsimile, dated November 15, 2005 (in duplicate)

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Michael Baentsch, et al.			Docket No. CH90000039US1 (14665)	
Application No. 09/894,035	Filing Date June 28, 2001	Examiner Mohammad O. Farooq	Group Art Unit 2182	
Invention: DEVICE AND METHOD FOR UPDATING CODE			RECEIVED CENTRAL FAX CENTER NOV 15 2005	
<p>I hereby certify that this <u>Response and Amendment Under C.F.R. Sec. 1.111</u> (Identify type of correspondence)</p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>)</p> <p>on <u>November 15, 2005</u> (Date)</p> <p style="text-align: center;"><u>Steven Fischman</u> (Typed or Printed Name of Person Signing Certificate)</p> <p style="text-align: center;"> (Signature)</p>				
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P18/REV02

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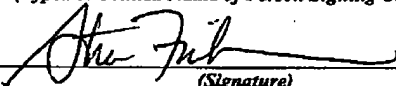
AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. CH90000039US1 (14665)									
Applicant(s): Michael Baentsch et al.													
Application No. 09/894,035	Filing Date June 28, 2001	Examiner Mohammad O. Farooq	Customer No. 23389	Group Art Unit 2182	Confirmation No. 5498								
Invention: DEVICE AND METHOD FOR UPDATING CODE													
COMMISSIONER FOR PATENTS:													
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.													
CLAIMS AS AMENDED													
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE								
TOTAL CLAIMS	18 -	20 =	0	x \$50.00	\$0.00								
INDEP. CLAIMS	4 -	4 =	0	x \$200.00	\$0.00								
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00								
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00								
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 50-0510/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.													
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.													
 Signature			Dated: November 15, 2005										
Steven Fischman Registration No. 34,594 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</td> </tr> <tr> <td colspan="2" style="text-align: center;">(Date)</td> </tr> <tr> <td colspan="2" style="text-align: center;">Signature of Person Mailing Correspondence</td> </tr> <tr> <td colspan="2" style="text-align: center;">Typed or Printed Name of Person Mailing Correspondence</td> </tr> </table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____		(Date)		Signature of Person Mailing Correspondence		Typed or Printed Name of Person Mailing Correspondence	
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P11LARGE/REV08

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): Michael Baentsch, et al.		Docket No. CH90000039US1 (14665)	
Application No. 09/894,035	Filing Date June 28, 2001	Examiner Mohammad O. Farooq	Group Art Unit 2182


Invention: **DEVICE AND METHOD FOR UPDATING CODE**

I hereby certify that this Response and Amendment Under C.F.R. Sec. 1.111
(Identify type of correspondence)
 is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571-273-8300)
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AMENDMENT TRANSMITTAL LETTER (Large Entity)				Docket No. CH90000039US1 (14665)	
Applicant(s): Michael Baentsch et al.					
Application No. 09/894,035	Filing Date June 28, 2001	Examiner Mohammad O. Farooq	Customer No. 23389	Group Art Unit 2182	Confirmation No. 5498
Invention: DEVICE AND METHOD FOR UPDATING CODE					
COMMISSIONER FOR PATENTS:					
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
CLAIMS AS AMENDED					
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	18 -	20 =	0	x \$50.00	\$0.00
INDEP. CLAIMS	4 -	4 =	0	x \$200.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 50-0510/IBM <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ <i>Signature</i>			Dated: November 15, 2005		
Steven Fischman Registration No. 34,594 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;"> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence </div>		
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P11LARGE/REV09

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Applicants: Michael Baentsch et al. **Examiner:** Mohammad O. Farooq
Serial No.: 09/894,035 **Art Unit:** 2182
Filed: June 28, 2001 **Docket:** CH90000039US1 (14665)
For: DEVICE AND METHOD FOR **Dated:** November 15, 2005
 UPDATING CODE
Conf. No.: 5498

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.111

Sirs:

This document is submitted in response to the Non-Final Office Action mailed August 15, 2005. No new matter has been introduced.

CERTIFICATION OF FACSIMILE TRANSMISSION

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Dated: November 15, 2005


Steven Fischman